REMARKS

In the Office Action of May 3, 2006, the Examiner rejected all pending claims. In this Amendment, claims 15 and 41 are amended, and no claims are added or canceled. Claims 1-48 remain pending.

I.   Rejection of claims 15-28 and 41-48 under 35 U.S.C. § 101 as being directed to non-statutory subject matter:

Applicants respectfully submit that the rejection is moot in view of the present amendments to the claims.

II.   Rejection of claims 1-3, 6-13, 15-17, 20-27, 29, 31, 34, 35, 37, 40, 41, 44, and 46-48 under 35 U.S.C. §102(e) as being allegedly anticipated by *Acharya, et al. (U.S. Patent No. 6,826,593) ("Acharya")*:

Applicants respectfully traverse the rejection.

The Examiner now contends that the data block identifier of claim 1 is taught by the multiresolution uniform resource locator (MRURL) of *Acharya*. However, the Examiner also contends that the MRURL teaches the registration reference of claim 1. As evidenced in the specification and plain language of the claims, the data block identifier and the registration reference are not the same thing, and thus the Examiner's construction is improper. Moreover, the MRURL of *Acharya* cannot be construed as the registration of claim 1 in light of the specification. For example, the MRURL is merely a URL, *i.e.* a hypertext transfer protocol (HTTP) address, with additional version information for the web page. See column 9, lines 40-48 of *Acharya*. This MRURL cannot be construed as a reference registration as disclosed in the present application. See, for example, paragraphs 39 and 40 of the patent application. The MRURL does not perform a registration function, but merely identifies a specific version of a web page. See column 9, lines 40-48 of *Acharya*. Thus, *Acharya* fails to teach "generating a registration reference for accessing the data block."

Furthermore, *Acharya* fails to teach "when the data block is not a registered data block, registering the data block in the collection of data blocks." The Examiner contends that this limitation is taught by *Acharya* at column 9, lines 38-41, wherein selection of a target file version

allegedly registers a data block. Applicants respectfully submit that the user's selection of a file is not registration. For example, the user selection described in that portion of *Acharya* is unrelated to determining whether a data block is registered, which the Examiner contends is taught at column 9, lines 50-53 of *Acharya*. In *Acharya*, if the requested version is not in the cache, the proxy server requests the selected version and passes it along. However, *Acharya* does not teach that the requested version is registered. Simply, *Acharya* lacks the registration element of claim 1.

Therefore, for at least the reasons discussed above, *Acharya* fails to disclose or even suggest claims 1, 15, 29, 34, 40, and 41. Claims 2-14, 16-28, 30-33, 35-39, and 42-48 depend directly or indirectly from claims 1, 15, 29, 34, 40, or 41 and are therefore allowable for at least the same reasons that claims 1, 15, 29, 34, 40, and 41 are allowable.

Moreover, with regard to claim 3, *Acharya* fails to teach "generating a codeword based on the constituent data." The Examiner points to the column 7, lines 51-65 of *Acharya* to teach this limitation. Applicants note that *Acharya* merely discloses hypothetical filenames, and says nothing of generating those filenames based on constituent data or how they are generated at all. Claims 17 and 31 recite similar limitations and are therefore patentable for at least the same reasons.

With regard to claims 7 and 9, *Acharya* fails to teach a "linked list." The Examiner relies on column 8, lines 62-63 of *Acharya*, which discloses "links or pointers to images and/or other files" embedded within a web page. Applicants respectfully note that a "linked list" is a term of art that refers to a data structure. "Links" as used within *Acharya* is not such a data structure. Claims 21, 23, and 41 recite similar limitations and are therefore patentable for at least the same reasons.

With regard to claims 11 and 12, *Acharya* fails to teach "generating a registration handle object comprising a reference to a resource allocated for the data block." The Examiner contends that the MRURL is a reference to a memory location. That contention is simply false. The MRURL is an HTTP address with version information. See column 9, lines 40-48 of *Acharya*. The MRURL does not refer to a memory location or any other resource that has been allocated for a data block, and cannot be construed to do so in light of the specification. See, for example, paragraphs 44 and 45 of the patent application. Moreover, the MRURL cannot be

construed as any kind of object, which is a term of art; the MRURL is merely an address. Claims 25, 26, 37, 40, 47, and 48 recite similar limitations and are therefore patentable for at least the same reasons.

III.   Rejection of claims 30, 32, and 39 under 35 U.S.C. §103(a) as being unpatentable over *Acharya*:

Applicants respectfully traverse with the rejection. Independent claims 29 and 34 are allowable over *Acharya* as discussed above. Claims 30, 32, and 39 depend directly or indirectly from claim 29 or 34 and are therefore allowable for at least the same reasons that claims 29 and 34 are allowable. Applicants respectfully request withdrawal of the rejection.

IV.   Rejection of claims 4, 5, 18, 19, 36, 42, 43, and 45 under 35 U.S.C. §103(a) as being unpatentable over *Acharya* in view of what is allegedly known in the art:

Applicants respectfully traverse with the rejection. Independent claims 1, 15, 29, 34, 40, or 41 are allowable over *Acharya* as discussed above. Claims 4, 5, 18, 19, 36, 42, 43, and 45 depend directly or indirectly from claim 1, 15, 34, or 41 and are therefore allowable for at least the same reasons that claims 1, 15, 34, and 41 are allowable. Applicants respectfully request withdrawal of the rejection.

Moreover, Applicants do not concede what the Examiner views as allegedly known in the art. The Examiner takes Official Notice of the state of the art, *i.e.*, that "given the knowledge that TCP or UDP and Ethernet can be used to transport the data blocks taught by Archarya, and further given the knowledge that CRC, ADLER, and 16-bit checksums are well-known techniques, a person having ordinary skill in the art would have readily recognized the desirability and advantages of including the CRC or ADLER checksums..." However, "judicial or administrative notice may [not] be taken of the state of the art. The facts constituting the state of the art are normally subject to the possibility of rational disagreement among reasonable men and are not amenable to the taking of such notice." *In re Eynde*, 480 F.2d 1364, 1370, 178 USPQ 470, 474 (CCPA 1973). An assessment of basic knowledge and common sense that is not based on any evidence in the record lacks requisite evidentiary support. *In re Zurko*, 258 F.3d

1379, 1385, 59 USPQ2d 1693, 1697 (Fed. Cir. 2001). Accordingly, Applicants respectfully submit that the Examiner's contention requires a reference to support it.
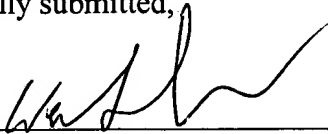
CONCLUSION

In view of the foregoing, it is submitted that claims 1-48 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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